

## **REMARKS**

### **A. Interview Summary**

Applicant graciously thanks the Examiner for granting a telephonic interview on March 21, 2007. During that interview, the Examiner agreed that independent claim 10 and the claims dependent therefrom would be allowable over U.S. Pat. No. 473,240 to Seavey without amendment. More specifically, the Examiner agreed that the aperture disclosed in the reference was not "contiguous with the bottom edge of the rear wall", as required in claim 10 of the application. Thus, Applicant respectfully acknowledges that claim 10 and the claims dependent therefrom are allowable in their current form.

### **B. Amendments**

Claim 18 of the application has been amended to specify that the rear wall of the shield is located posterior to a non-emitting rear portion of the light source. The claim also makes clear that the emitting portion of the light source is located opposite the non-emitting rear portion. In an embodiment, the light source of the present application is a flood light, illustrated in Figure 2. The flood light has an emitting portion (near number 12) and a non-emitting portion (opposite number 12). Figure 2 further illustrates that the rear wall of the shield is located posterior to the non-emitting rear portion of the light source. Thus, this amendment is supported by the originally-filed specification and does not constitute new matter.

### **C. Arguments**

Independent claim 18 of the present application is not anticipated by or obvious in light of the Seavey reference. Claim 18 of the amended claims requires that the rear wall of the shield is "located posterior to a non-emitting rear portion of the light source."

The Examiner has classified  $a^2$  as the “rear wall” of the invention. The rear wall,  $a^2$ , in Seavey is not located posterior to a non-emitting rear portion of the light source.

In fact, the light source in Seavey does not have a non-emitting rear portion at all. The light source in Seavey is an incandescent bulb (col. 1, line 11) which is designed to emit light in all directions. Seavey explains that his invention provides “a strong downwardly-directed light” (col. 1, line 14), but the shade is “cut away at its upper side to admit the upward reflection of the light” (col. 1, lines 22-23). Thus, the “slot” in the shade permits light to “shine upon the usual wire and counters suspended above the table” (col. 2, lines 53-55). Because the rear wall,  $a^2$ , in Seavey is not “located posterior to a non-emitting rear portion of the light source,” claim 18 cannot be anticipated by the reference. In addition, there is no motivation to modify Seavey into the present invention as the purpose of Seavey’s invention is to direct light both upwardly and downwardly.

Independent claim 19 of the present application is also not anticipated by or obvious in light of the Seavey reference. Claim 19 requires “an arch-shaped aperture in the rear wall of the shield . . . wherein the arch-shaped aperture is open and contiguous with the bottom edge of the rear wall.” As discussed during the interview, the Seavey reference does not disclose an aperture, arch-shaped or otherwise, that is contiguous with the bottom edge of the rear wall. For at least that reason, claim 19 of the present application is not anticipated by or obvious in light of Seavey.

It is Applicant’s belief that all pending claims are in allowable form and all prior rejections have been overcome. Accordingly, Applicant respectfully submits that the

application is in complete condition for allowance. The Examiner is invited to telephone the undersigned should any issues remain after the consideration of this response.

Please charge any additional fees that may be required to Deposit Account No. 50-2548.

Respectfully requested,

NELSON MULLINS RILEY & SCARBOROUGH

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Date

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